UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. CARLOS SAAVEDRA-VASQUEZ (1), Defendant.	Criminal No. 08-CR-0302-JLS **ORDER:** **(1) SETTING HEARING AND BRIEFING SCHEDULE ON DEFENDANT'S APPEAL OF MAGISTRATE JUDGE'S ORDER SETTING DEPOSITION OF MATERIAL WITNESS; and** **(2) DENYING REQUEST FOR STAY**

On February 25, 2008, Defendant Carlos Saavedra-Vasquez filed a notice of emergency appeal from Magistrate Judge Lewis' order granting the videotape deposition of Material Witness Nuria Christina Ramirez (Doc. No. 20). In conjunction with his notice of appeal, Defendant also requests that the videotape deposition, currently scheduled to take place on March 12, 2008, be vacated, that the Material Witness be released from custody, and that this matter be stayed pending resolution of the appeal.

The Court finds that sufficient time exists to consider Defendant's appeal prior to the deposition date and therefore will **DENY** Defendant's request for a stay and other relief at this juncture. Defendant's appeal shall come on for hearing before this Court on **Thursday, March 6, 2008** at **3:45 p.m.** Counsel shall simultaneously file any briefs and material for consideration by the Court by **Tuesday, March 4, 2008** at **5:00 p.m.**

IT IS SO ORDERED.

DATED: February 28, 2008

Janis L. Sammartino

Honorable Janis L. Sammartino
United States District Judge